

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *JL* D.C.
05 SEP 26 PM 12:23

TAMI BICKFORD, next friend
of DAVID MICHAEL SPOON,

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

Plaintiff,

vs.

No. 03 - 2953

LAUDERDALE COUNTY, TENNESSEE,
TODD WHITE, and PHILLIP
MORRIS,

Defendants.

CONSENT ORDER OF DISMISSAL WITH PREJUDICE

The plaintiff sued Lauderdale County, Tennessee, and several of its agencies, along with Phillip Morris and Todd White.¹ During the trial, at the close of the plaintiff's proof, the court granted the motion of the defendant Lauderdale County for judgment in its favor as a matter of law pursuant to Rule 50(a) of the Federal Rules of Civil Procedure on the basis that there was no legally sufficient evidentiary basis for a reasonable jury to find for the plaintiff against Lauderdale County and that Lauderdale County was entitled to judgment in its favor as a matter of law..

Following this ruling by the court, the remaining parties² announced to the court that the matters in controversy had been compromised and settled and that this case could be dismissed with prejudice with each party bearing his or its own costs..

The Chancery Court for Lauderdale County having approved the compromise settlement between the plaintiff and his representative on the one hand and the remaining defendants on the other, it appears to the court that this matter should be dismissed as to

¹ Other defendants have been dismissed from this litigation earlier.

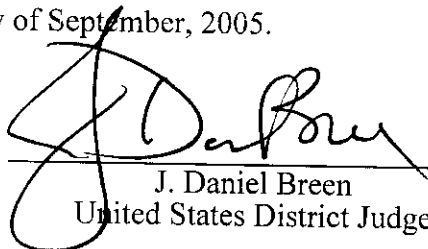
² The remaining parties were Todd White and Phillip Morris.

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all parties.

THEREFORE, it is **ORDERED** that this case is hereby dismissed with prejudice,
with each party bearing his or its own costs.

This 26th day of September, 2005.



J. Daniel Breen
United States District Judge

J. Barney Witherington, IV

s/ J. Barney Witherington IV by
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w/ permission

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Notice of Distribution

This notice confirms a copy of the document docketed as number 54 in case 2:03-CV-02953 was distributed by fax, mail, or direct printing on September 26, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT